

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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|-------------------------------|---|--------------------------------------|
| DAMONT HAGAN, | : | CIVIL ACTION NO. 1:10-CV-0883 |
| | : | |
| Plaintiff | : | (Judge Conner) |
| | : | |
| v. | : | |
| | : | |
| JEFFREY BEARD, et al., | : | |
| | : | |
| Defendants | : | |

ORDER

AND NOW, this 13th day of April, 2012, upon consideration plaintiff's motion for a preliminary injunction (Doc. 84), in which he seeks to enjoin Tadd Bickell, the Superintendent at the State Correctional Institution at Huntingdon¹, and a non-party, from destroying his legal property relating to the instant civil action, and it appearing that plaintiff concedes that this Court lacks jurisdiction because he "[c]an not challenge defendants' allegations that Hagan can not request a preliminary injunction against a non-party" (Doc. 97, at 1) (see Elliott v. Kiesewetter, 98 F.3d 47, 56 (3d Cir. 1996) (finding that "[a] non-party cannot be bound by the terms of an injunction unless the non-party is found to be acting 'in

¹Plaintiff brings this civil rights action against present and former State Correctional Institution at Camp Hill Special Management Unit staff. (Doc. 45 at 1-2.)

active concert or participation' with the party against whom injunctive relief is sought. Fed. R. Civ. P. 65(d)'''), it is hereby ORDERED that the motion (Doc. 84) is DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge